



Town of Boxborough Police Department



John T. Szewczyk
Interim Chief of Police

December 5, 2022

Detective Patriarca,

The Town of Boxborough has contracted Paul L'Italien to conduct an investigation into education incentives and other payroll matters within the Boxborough Police Department.

You have been identified as a member of the Boxborough Police Department that is to be interviewed.

You are hereby ordered not to discuss this investigation with any person other than union or legal representation. Please contact me so that we can coordinate a time for you to meet with the investigator.

John Szewczyk
Interim Chief of Police
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JSzewczyk@boxborough-ma.gov

Cc: Jeffrey Landgren, Boxborough Police Union President

Detective Steven Patriarca interview:

Paul L'Italien:

Today's date is December 20th, 2022. The time is approximately 10:10 AM. We are at the Boxborough Police Department. My name is Paul L'Italian, I'm a licensed private investigator from Pembroke. My license number is LP0952. I have been hired by KP Law to conduct an independent investigation regarding allegations being made against members of the Boxborough Police Department. The person to be interviewed is Detective Steven Patriarca.

Detective Patriarca:

Yup.

Paul L'Italien:

Detective Patriarca, for the record, would you please state your full name, spelling your last name?

Detective Patriarca:

Sure. It's Steven Patriarca, P-A-T-R-I-A-R-C-A.

Paul L'Italien:

Thank you. For the record, is Steven with a P-H or V?

Detective Patriarca:

V.

Paul L'Italien:

Okay. Do you acknowledge this interview is being mechanically recorded?

Detective Patriarca:

Yes.

Paul L'Italien:

Okay. Also present is attorney Casey Berkowitz of Sandulli and Grace.

Detective Patriarca, do you agree to answer all my questions truthfully today?

Detective Patriarca:

Yes.

Paul L'Italien:

Okay. How long have you been employed here by the Boxborough Police Department?

Detective Patriarca:

Three years to the day yesterday, the 19th was my start date.

Paul L'Italien:

Okay. How long have you been in the police service for?

Detective Patriarca:

Over 20 years.

Paul L'Italien:

Okay. You previously worked for the Framingham Police Department?

Detective Patriarca:

Correct.

Paul L'Italien:

Okay. What education level do you have?

Detective Patriarca:

Currently, well, I just graduated, so I've got a master's degree now. I'm just waiting for the diploma.

Paul L'Italien:

When did you attain that?

Detective Patriarca:

Master's is through Lasell here in Newton, Mass.

Paul L'Italien:

Okay.

Detective Patriarca:

As of right now, I still... Payroll concerns, I have a bachelor's degree that's out of Western New England College.

Paul L'Italien:

When did you attain the master's degree?

Detective Patriarca:

I'm waiting for the final grade, so this week.

Paul L'Italien:

You just finished in this fall semester now?

Detective Patriarca:

Yeah, literally. Yup.

Paul L'Italien:

It's my understanding that there's a so-called Grandfather Clause here in statewide for the Quinn Bill. As a master's degree you would be entitled to, is it \$6,900? Is that what the stipend is for members here?

Detective Patriarca:

Or 25%, whatever that... yeah.

Paul L'Italien:

You're entitled to the 25%?

Detective Patriarca:

Correct.

Paul L'Italien:

Okay.

Detective Patriarca:

On the Quinn Bill.

Paul L'Italien:

That's based on your previous services in Framingham?

Detective Patriarca:

Yup.

Paul L'Italien:

Okay.

Detective Patriarca:

Yup.

Paul L'Italien:

Okay. Now, when were you attending these classes? What was the timeframe in which you were working on your master's degree at Lasell?

Detective Patriarca:

Been going on for over three years. I've been piecemealing it pretty much. Just take a class from here to here. It's when I can afford it, and time.

Paul L'Italien:

Okay. Did you start that when you arrived here in Boxborough or had you started that already?

Detective Patriarca:

I believe I started before. When I was in Framingham, actually I took the first class was at Framingham State and then I just transferred everything over to Lasell just because they had more of what I was looking for.

Paul L'Italien:

Okay. Is it in the Criminal Justice Administration?

Detective Patriarca:

It's Criminal Justice, Crisis and Emergency Management, but it's a criminal justice degree.

Paul L'Italien:

What was your bachelor's in?

Detective Patriarca:

Criminal Justice.

Paul L'Italien:

Okay.

Detective Patriarca:

The transcript's right here for you.

Paul L'Italien:

Okay.

Detective Patriarca:

For the record, I am not getting paid for the master's degree as of now because I just finished.

Paul L'Italien:

Okay.

Detective Patriarca:
I'm a bachelor's still.

Paul L'Italien:

Now, it's my understanding that sometime around the timeframe of December of 2020, another officer here attained their master's degree. There was a review of some payroll records and there was a discrepancy found that some officers were being overpaid.

Detective Patriarca:
Yes.

Paul L'Italien:
Did that apply to you as well?

Detective Patriarca:

It did. I have copies of all those transcripts and emails.

What you're looking at is basically a email correspondence going back and forth between Chief Ryder, the town administrator and Nick, I forget what his exact position was at the time, explaining what our degrees were and that there was an overpayment and that we were going to pay back, which we all did. That email shows that there's been a payment. Yeah, because it was one of probably six or seven accountants we've had since in the last year. Whoever this woman, Andrea is, she acknowledges. The chief, when you look at this, see that the chief has been asking when is the payment done, which we've paid off in full.

Paul L'Italien:
Okay.

Detective Patriarca:
It's all there.

Paul L'Italien:

It's your position that... And I have a copy of an email that Chief Ryder sent to yourself and others explaining that the payroll discrepancy had been found.

Detective Patriarca:
Yup. That's what I gave you.

Paul L'Italien:
Okay.

Detective Patriarca:

Chief Ryder came to us, me individually, stated that there was a payroll discrepancy. That we were getting... Yeah, that that's right in here.

Paul L'Italien:

Okay.

Detective Patriarca:

Yup. Yes, we're fully aware of this, that there was a payroll discrepancy. We were getting paid, or in my case, I don't know what the other guys, but I was getting paid for the master's and we have to pay it back. I can pretty much say all this, all of us with the same thing. But I said, "Yeah, absolutely. Do what we've got to do, pay it back."

Paul L'Italien:

Okay. Now, I have some budget printout stuff from fiscal year 2021. Again, for the record, the budget year 2021 would've started July 1st, 2020 and run through June 30th, 2021. I have your name highlighted here, and it does show you were put into the budget for 25% that year.

Detective Patriarca:

Okay.

Paul L'Italien:

Okay. Again, I was under the impression arriving here today that you were only entitled to the \$6900.

Detective Patriarca:

No, it's 20%.

Paul L'Italien:

Okay.

Detective Patriarca:

That's what I should have got.

Paul L'Italien:

I agree with your prior service would've counted. Now, there's an allegation out there, and again, it's just an allegation, but the allegation is that there was some discussion amongst officers here that Chief Ryder had told some of you that you could receive the number on the Quinn Bill while you attended class. Did that ever occur?

Detective Patriarca:

Not at all.

Paul L'Italien:

Okay.

Detective Patriarca:

No.

Paul L'Italien:

Again, I've come into so many people that have said, "Rumors," and, "The word on the street is," et cetera.

Detective Patriarca:

No.

Paul L'Italien:

What I was told was that the former Officer McClellan claims that he had a conversation with you specifically, and the conversation was that Chief Ryder was allowing you to collect the Quinn Bill money even though you weren't entitled to it.

Detective Patriarca:

That is not true.

Paul L'Italien:

Okay. As you indicated before, I understand there was a repayment plan with the town for the period covering July '20 to December of '20 and you did repay-

Detective Patriarca:

Oh yeah.

Paul L'Italien:

... The town by way of a payroll deduction.

Detective Patriarca:

Yes.

Paul L'Italien:

Okay. I don't have anything else to ask about the education money, you've provided me with a packet here. Is there anything else you'd like to add that I didn't ask you about?

Detective Patriarca:

No. I mean, it's basically, again, it's these clerical errors that we have here, the 25, all that is beyond my pay grade. As you can tell, this is what we got, and this is what I submitted you this from when I came on, this is what I should have been paid. This is what would go from here to town hall. What I have learned over the course of the couple

of years now is that if payroll goes from here, it goes to three different hands at town hall before it's finally submitted over to the select board. This is basically three times my pay has gone up and down. Either I was underpaid, overpaid, or underpaid, and this is all happening well after Ryder's departure.

Paul L'Italien:

Okay. I'm not aware of being underpaid. Do you want to articulate that a little bit?

Detective Patriarca:

A lot of guys, even myself, we've got guys that are not getting paid. They're union, I'm sorry, insurance and whatnot. There was a point where I was being underpaid, they corrected, there was no email chain on that. I only was told about that verbally. Then I get emails, which this one here where I was being overpaid again, where the email chain was going back last February, where basically it was again, screw up on their end where I was getting overpaid. It was caught by Ryder asking, "Now what?" They never ever contacted me, told me about this because Ryder was on his way out. I gave you a copy of this. Basically at the end, even I emailed Carter asking him, "How do we fix this? What do you need me to do?"

Paul L'Italien:

This particular situation you're describing, what was the overpayment?

Detective Patriarca:

Again, I have no idea what this... My general base salary. They screwed up the base salary.

Paul L'Italien:

Okay.

Detective Patriarca:

I gave you a copy of this as well too.

Paul L'Italien:

Okay.

Detective Patriarca:

That's what we've got. It's constantly going back and forth. Whether it's education or base salary, they're screwing that up.

Paul L'Italien:

Now, when you came over from Framingham, I assume it was a lateral transfer.

Detective Patriarca:

Yup.

Paul L'Italien:

You didn't have to go to the academy again?

Detective Patriarca:

No.

Paul L'Italien:

When you came over with those years of service, did you automatically go to top step-

Detective Patriarca:

Step six, yeah.

Paul L'Italien:

Was that agreed upon when you were hired here?

Detective Patriarca:

It's all my letter of hire.

Paul L'Italien:

Okay.

Detective Patriarca:

Everything is there. That's why I'm trying to figure this one out myself too. How this can happen over and over again. One time is a mistake, get it three times, and multiple guys.

Paul L'Italien:

Okay. Again, the key part to today's interview is, and you've already answered this, but the key part is, did Chief Ryder allow you and some of your coworkers to collect Quinn Bill money that you had not yet earned?

Detective Patriarca:

Absolutely not.

Paul L'Italien:

Okay. The only other question that I have to you is regarding the COVID command center that is my understanding was run from the Hyatt Regency up the street here during spring of 2020 during the COVID lockdown and all that.

Detective Patriarca:

Yes.

Paul L'Italien:

I did speak with the fire chief and he informed me that you were involved because during your prior time at Framingham PD working the marathon and stuff, you had some MEMA experience.

Detective Patriarca:

Yes. Yup.

Paul L'Italien:

Okay. Could you explain to me what your role was at the COVID command center here in Buxborough?

Detective Patriarca:

It's pretty much the same then, still to this day. I am the liaison, so to speak, between the town of Buxborough and MEMA. I have access, it's called WebEOC, which I'm sure you have..... WebEOC is not a private thing, it's not a top secret server, but because I have experience using it and how to allocate resources and send stuff out, provide information that the state wanted specifically during COVID, that was my primary role. So was this logistical equipment and asset procurement for us. That's still what I'm doing right now when we need it.

Paul L'Italien:

Okay. Now, it's my understanding that during that timeframe, particularly during the quarantine, the hotel made available to public safety officers and firefighters and yourself, some police officers, a block of rooms?

Detective Patriarca:

Yes.

Paul L'Italien:

Okay.

Did you stay there on occasion?

Detective Patriarca:

I did.

Paul L'Italien:

Okay.

Detective Patriarca:

Yup.

Paul L'Italien:

There's an allegation that the folks that were assigned to the EOC up there were paid overtime, four hours a day during the workday, the weekday, and then there's allegations that some folks got paid overtime on weekends-

Detective Patriarca:

No.

Paul L'Italien:

... Even though they went home.

Detective Patriarca:

No.

Paul L'Italien:

Okay.

Detective Patriarca:

I definitely was not receiving any overtime weekends when you were not working. Everybody got the same overtime, that was from patrol here, the guys working the street. It was an hour in the front, hour in the back.

Paul L'Italien:

Okay. Were there ever occasions that you did in fact stay at the hotel during the weekends of COVID?

Detective Patriarca:

Yeah.

Paul L'Italien:

Was that considered working days?

Detective Patriarca:

No.

Paul L'Italien:

Okay.

Detective Patriarca:

Days off. I mean, every day was a working day and not... As you know, you were ex law enforcement, you're on 24/7, but I was not getting paid for it.

Paul L'Italien:

Okay. My question is, did you ever put in for overtime you didn't work?

Detective Patriarca:

No.

Paul L'Italien:

During COVID. During COVID.

Detective Patriarca:

Nope. Everything was handled hourly by what we were doing.

Paul L'Italien:

Who was managing payroll? Was it Chief Ryder?

Detective Patriarca:

Chief Ryder and Andrea.

Paul L'Italien:

Okay. Were you aware of any other officers who were receiving overtime that they weren't earning?

Detective Patriarca:

No, not that I'm aware of.

Paul L'Italien:

Okay. Now, there's also allegation being made that during the time at the COVID EOC that there was drinking of alcohol while on duty. Did that occur?

Detective Patriarca:

No.

Paul L'Italien:

Okay. Did at any time any of you that were there have a beer or two?

Detective Patriarca:

After hours, yeah.

Paul L'Italien:

Okay. There's also allegations that I understand that there were some cars rented at the time. We were exercising social distancing and there weren't shared cruisers. I understand that there were cars rented so that each officer had a car to drive during their duty hours. The allegation is that these cars were used for excessive personal business. Did that ever occur?

Detective Patriarca:

Everything is closed, so no.

Paul L'Italien:

Okay.

Detective Patriarca:

Where were we going to go?

Paul L'Italien:

Okay. If you don't mind, where do you live, Detective Patriarca?

Detective Patriarca:

[REDACTED].

Paul L'Italien:

[REDACTED], okay. Were you afforded an opportunity during that timeframe to drive home?

Detective Patriarca:

On my days off, if we wanted to go home, we could.

Paul L'Italien:

Okay.

Detective Patriarca:

For the weekend, yup.

Paul L'Italien:

In your personal car or one of the rented cars?

Detective Patriarca:

The rented car. We didn't have a personal car here.

Paul L'Italien:

Okay. That's all the questions that I have for you. Is there anything else you'd like to offer before we conclude?

Detective Patriarca:

Nope.

Paul L'Italien:

Okay. Time is now 10:23. We'll go off the record. Thank you.